

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00100

ROBERT LOUIS WILLIAMS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 2, 2010, the United States of America appeared by Steven R. Ruby, Assistant United States Attorney, and the defendant, Robert Louis Williams, appeared in person and by his counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith, the defendant having commenced a five-year term of supervised release in this action on January 21, 2009, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on December 30, 1999.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant used cocaine and marijuana as evidenced by a positive urine specimen submitted by him on April 1, 2009, the defendant having admitted to the probation officer that same date that he had smoked crack cocaine on March 27, 2009, and a positive urine screen submitted by him on February 4, 2010, for marijuana and cocaine, the defendant having admitted to the probation officer that he smoked marijuana that may have been laced with cocaine on January 19, 2010; (2) that the defendant failed to submit monthly reports from August 2009 through February 2010; (3) that the defendant left his last reported residence without notifying the probation officer sometime prior to September 23, 2009, rendering his whereabouts unknown until his arrest on or about February 3, 2010; (4) that the defendant failed to report for urine screens as directed on September 9 and 24, and October 1 and 19, 2009; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FORTY-FIVE (45) DAYS to be followed by a term of fifty-eight and one-half months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that

the defendant not commit another federal, state or local crime and the following special conditions:

1. The defendant shall spend a period of six months at Dismas Charities or a community corrections facility otherwise selected by the Bureau of Prisons and abide by the rules and regulations of the facility.

2. The defendant shall make himself available and participate fully in drug counseling and mental health sessions as directed by Pyramid and Family Connections while residing at Dismas and shall continue to do so once he is released. The defendant shall also participate in such other drug counseling and mental health counseling as directed by the probation officer.

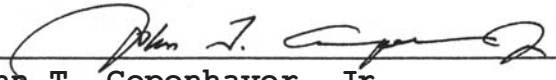
3. The defendant shall maintain employment throughout the six month period at Dismas and once he is released.

4. Once released from prison, the defendant shall report directly from his place of incarceration to the community confinement center with transportation to be provided by Alvis Motley.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 4, 2010



John T. Copenhaver, Jr.
United States District Judge